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OCT 26 2005

Docket No. 005217.P049  
Stoel Rives Ref. 50588/390  
Digeo Ref. 39

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

**Anthony F. Istvan et al.**

Confirmation No. 8903

Application No. 09/877,696

Filed: June 8, 2001

**For: SYSTEMS AND METHODS FOR  
ACCESSING INTERACTIVE  
CONTENT VIA SYNTHETIC  
CHANNELS**

Group Art Unit: 2611

Examiner: Andrew Y. Koenig

Date: October 14, 2005

**DECLARATION OF ROBERT E. NOVAK UNDER 37 CFR 1.131**

I, Robert E. Novak, hereby declare that:

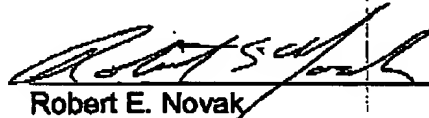
1. I am a co-inventor of at least claims 1, 11, 22, 28, 35, and 38 of the above-identified patent application.
2. Prior to April 20, 2001, I helped conceive of the idea of a system and method for accessing interactive content via synthetic channels, as described and claimed in the above-identified patent application.
3. Prior to April 20, 2001, one of my co-inventors, Anthony F. Istvan, sent an e-mail containing a description of the idea to James K. Okamoto, in-house patent

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counsel for Digeo, Inc. ("Digeo"). The idea was assigned a Digeo internal reference number of "39." A copy of the e-mail, which lists myself, Anthony F. Istvan, and James A. Billmaier as co-inventors, is attached hereto as Exhibit A.

4. With my diligent assistance, outside patent counsel filed the above-identified application on June 8, 2001.

5. I declare that those statements made of my own knowledge is true, and that all statements made on information or belief are believed to be true. This declaration is being made knowing that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

  
Robert E. Novak

Date: October 14, 2005

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